

**REGULAR MEETING OF THE TOWN BOARD
PALMYRA TOWN HALL
May 23, 2019**

At 7:00 p.m., Supervisor Kenneth Miller called to order the Town Board meeting, scheduled for Thursday, May 23, 2019, at the Palmyra Town Hall, 1180 Canandaigua Rd, Palmyra, New York.

Supervisor Miller led those present in the Pledge of Allegiance to the Flag.

Upon roll call, the following Board members were present:

Kenneth Miller, Supervisor
James Welch, Deputy Supervisor
Michael Lambrix, Councilman
Brad Cook, Councilman
Todd Pipitone, Councilman

Motion was made by Jim Welch to approve the minutes of the regular Town Board meeting which took place on April 25, 2019.

Second: Brad Cook

Vote: 3 Ayes. Carried

Councilman Lambrix abstained as he had not attended that meeting.

ATTENDANCE

Also attending was: Camyron Natale, Adian Elliott, Koebi Garski (sp?), Marc Carrier, Kevin & Kathy Hill, Jim Lester, Casey Carpenter (WC Times), Mike Catalano (Wayne County EMS), and Robert Kelsch (Sun& Record).

HEARING

There was no official hearing this evening.

COMMUNICATIONS

There were no communications received prior to the meeting.

Public Input

Marc Carrier (399 Garnsey Rd) requested to be put on the agenda to comment about the DEC fact sheet that is available to the public, and what he feels are inaccuracies in a quote to the Wayne Post regarding transparency of the landfill topic. His comments are outlined in the following summary that he submitted.

- RE: CONTAMINANTS LEAKING TO PRIVATE PROPERTIES FROM LANDFILL
- QUESTIONING FACTS ON FACT-SHEET
 - MILLER'S QUOTE IN WAYNE TIMES RE: TOWN'S TRANSPARENCY
 - CLEARLY FACTS ARE IN ACCURATE
 - TO TRANSPARENCY - THE BOARD & MR. MILLER HAS BEEN ANYTHING BUT TRANSPARENT
 - FROM THE START OF THIS SEVERAL YEARS AGO
 - & THE DENIAL OF THE TOWN OWNING THIS PROPERTY ON GARNSEY RD, FOR MONTHS, FOLLOWED BY ONE COUNCILMAN'S APOLOGY TO ME, ONCE THE TOWN ADMITTED OWNERSHIP, THE HE WAS SORRY HE KNEW THE PROPERTY THAT I HAD BEEN SPEAKING OF
 - BOARD MINUTES DRAIN 1940'S AND 1990'S NOT AVAILABLE ON-LINE
 - REFUSAL FROM ANY BOARD MEMBER DIRECTING ANY NEIGHBOURS ON SITE OR THEIR PROPERTIES
 - MR. MILLER'S UNWILLINGNESS TO SHARE COMMUNICATIONS WITH & FROM DEC.
 - OR W/ THE PUBLIC WORK THE HIGHWAY DEP. IS HAVING STAFF DO ON SITE
 - MR. CARRIER THREAT TO ADVERT ON TOWN LETTER HEAD IF HE CONTINUES IN THIS MATTER
 - PHYSICAL & VERBAL THREATS RECEIVED FROM BOARD MEMBERS ON A NUMBER OF OCCASIONS AND AS RECENT AS 2 MONTHS BACK DURING OPEN MTG.
 - MR. MILLER RECORDED CONVERSATION ON RECORD W/ FRANK VASCOVYNAS THAT HE HAD NOT BEEN MADE AWARE OF ISSUES W/ DUMP.
 - WHILE FOIL REQUEST SHOWS HE WAS FORMALLY INFORMED MANY MONTHS OR MORE THAN A YEAR PRIOR.
 - ASSESSMENTS OF TOWN PROPERTIES LEAKING TOXICIN, ALSO ADJACENT PROPERTIES EFFECTED.

MARC CARRIER


The town clerk later pointed out to Mr. Carrier and other residents of Garnsey Rd that all the minutes are available on the website (addressing his 6th point above), but that some were scanned, and some were transcribed. It was also pointed out that all the original books are available for viewing in the Town Clerk office (minute books from 1789 to current).

Reports of Standing Committees**Supervision---Animal Control, Historian, Finance:****- Supervisor Kenneth Miller**

1. Update regarding closed Garnsey Rd Landfill: Mr. Miller informed the public that he and five others met at the DEC office in Albany on Monday. There was not much more to report other than there were minutes taken by the DEC at that meeting, and as soon as they become available, he will share them. Members in the audience ask for an update of the fact sheet. Again, Mr. Miller explained that there was no further update to the facts as of yet, and they will be shared when they do become available.

2. Municipal Shelter Report: Mr. Miller stated that the inspection of our animal shelter was completed on 5/14/2019, and was rated "satisfactory", and that no changes are needed. It was remarked that the move of the shelter to the town hall property was a very good decision.

Human Services: Town Clerk, Archives, and Town Hall Facility**- Councilman Bradley Cook****1. Town Clerk Report for May:**

TOWN CLERK OFFICE
REPORT TO THE BOARD
May 2019

We have seen an upswing in the number of marriage licenses being issued, tourists stopping by for information, and water payments being collected as we are one of the last three clerk's offices collecting for WC Water and Sewer Authority.

I attended the Annual Town Clerk Conference in Syracuse the first week in May. There was a lot of valuable information shared, as well as new laws and regulations to follow as town clerk.

This year I applied for, and received a \$500.00 scholarship to offset the cost to the Town. Unfortunately, it was announced that the scholarships awarded next year will be only half that amount.

Through dog licensing in April, we sold 123 licenses totaling \$993.00, misc sales, EZ Passes, (I just ordered an additional 25 as they are still selling well!), marriage licenses, hunting/fishing, vital record requests, code, etc- added an additional \$5,888.97. Total check disbursements for the month of April were \$6,881.97.

I am beginning to research a new computer for Julie (which is budgeted for this year), and will be asking permission to spend up to that amount this evening.

2. Tick Removal Kits: Mini tick removal kits (directions and tweezers) are available in the Town Clerk office to share with the public at no cost. I requested them from the WC Heath Dept and they happily supplied them!

3. Building Update: Price points from Marathon Electric were shared with the board that shows what will be a significant savings in utility costs (30-40% with the fixed rate) for the town hall. Approval for permission to sign contract is later. Also, Mr. Cook is still in contact with the door company and will follow up with them again.

4. Purchase of Computer: We are researching the same computer that the bookkeeper purchased from Integrated Systems to replace one in the TC office (for Julie). This is a budgeted item and is part of my rotation plan.

5. Deputy Town Clerk will attend June 27, 2019 meeting instead of me: The deputy town clerk will be at the June meeting as the town clerk will be unable to attend. I ask that all information needed for the meeting next month please be submitted on time!!

Public Works: Highway Department, Equipment and Facilities

-Councilman James Welch

1. Highway Department report for May:

**Highway Superintendent Report
For Town Board Meeting
05/23/19**

Since the 4/25/19 Town Board meeting we have completed the following work:

- Brushmowing – Jeffery Road and Schilling Road.
- Hauling Stone for Walker Road
- Cut Shoulders – Jeffery Road
- Inter-municipal Assistance
 - 5/17/19 2 Palmyra trucks to assist Williamson Hwy with hauling
- **Palmyra Municipal Auction** – May 11th we held our 34th Palmyra Municipal Auction. The Auction was again smaller than years past, but still a success. Total sales were over \$2.20 Million (down from \$2.68M), 453 Lots (down from 498), 568 registered onsite bidders (down from 648) plus there were 896 approved online bidders (up from 879) plus some additional watching online. Attached is a 4-year summary which also shows WC Sales tax generated. Our 2014 CAT950 loader sold for \$150K.
- **Personnel –**
 - Chris Bratt started back mowing with us on 5/14/19
 - Gerald East started back with us on 5/21/19

- **Winter Summary** – We ended the winter season with 114 trips out of the barn, with our last trip being on April 1st. We utilized approximately 2024 tons of our 2600-ton allotment, which is approximately 78% of our requested allotment. My new salt allotment was due on 5/3/19 and I kept our allotment the same at 2600 tons for 2019-20. We still have approximately \$33K unexpended to use for the remainder of the Town fiscal year, which would get us ~700 tons to help refill the barns.
- **Palmer Road Closing** – On May 2nd, WC Highway Sign Crew assisted our Palmyra Highway Crew in permanently closing the north section of Palmer Road from Hogback to Whitbeck. Our crews removed approximately 75-feet of asphalt to eliminate the appearance of a roadway while the WC Sign Crew installed the new signage for each new 3-way intersection. Dolomite will also be depositing some topsoil in the former road area soon and WC Soil & Water will be hydroseeding. The wet spring weather has delayed this topsoiling effort.
- **Upcoming Road Projects** – With the Auction behind us, we have started gearing up for our various summer road projects. We intend to be on several roads this summer including but not limited to Quaker, Daansen, Walker, Jeffery, Parker, Hanagan, Schilling.
- **Bridge Work** – In the past couple weeks I have had some discussions with NYS DOT about some upcoming bridge projects in our area.
 - Galloway Bridge – Expected to be closed sometime in June until February 2020 for upgrades
 - NYS Rt. 21 Bridge - Hoping to mill/re-pave the bridge surface in by August 2019

Any questions, comments or concerns I will be glad to answer.

	2016	2017	2018	2019
Total Sale	\$4,120,793.50	\$2,879,911.00	\$2,681,811.00	\$2,201,117.50
Total Lots	650	504	498	453
Total Consignors	127	110	105	82
Total Registered Onsite Bidders	797	757	648	568
Approved Online Bidders	853	817	879	896
Total Wayne County Sales Tax	\$56,869.32	\$41,595.28	\$25,873.60	\$22,351.00

Councilman Welch commented that Dolomite and the highway department did a good job closing Palmer Rd. Mr. Miller commented that if anyone is caught trespassing on the closed road, Dolomite will not hesitate in pressing charges.

2. Budget Modification: Since the skid steer will not be purchased in 2019 the funds will be transferred to Machine Reserve. The advice of the auctioneer was to wait until next year and pair the skid steer with the village items to make more money. Approval for this modification is later in the meeting.

Councilman Welch asked how often we wanted the newly purchased field in the back of the town hall mowed? Mr. Miller suggested that it be put on a two week schedule until further notice.

Town Development: IT & Phones, Fire Protection Contracts, and Strategic Plans
- Councilman Todd Pipitone

Mr. Pipitone stated that he had nothing to report at this time. Supervisor Miller reported that the Sonic Wall contract was ending and the computers needed upgrading to Windows 10 to support this. He also stated that $\frac{3}{4}$ of our current computers are still on Windows 7 and will need to be upgraded as it will no longer be supported by Microsoft by the end of 2019.

Government Operations: Assessor, Youth & Aging, Code Enforcement/Planning Board, and Justices

-Councilman Michael Lambrix

1. Assessor's Office Report for May:

**REPORT TO THE TOWN BOARD
FROM THE ASSESSOR'S OFFICE
MAY 20, 2019**

Grievance day will be Tuesday the 28th of May this year. As of now, Monday May 20, 2019, we have sixteen (16) appointments for grievance. Bamberger's have submitted their required grievance forms to continue their actions against the Town (6 parcels this year – last year was 9 parcels). There are three (3) corrections at this time and there is also six (6) stipulations at this time. A stipulation is an agreement on a different assessment (other than what is on the tentative assessment roll), between the property owner(s) and myself.

I am anticipating more applications to be submitted between now and Tuesday the 28th at 8PM, which is the deadline for this year. At this time we have one (1) days scheduled but may need more.

Also I have signed up for the August 2nd Ethics course in Canandaigua. This course is required to be taken within one (1) year of reappointment and counts as six (6) credits.

I am also requesting to purchase some equipment for my office, this is in my budget. Please see attached addendum.

Also, please see the attached addendum for a course at Cornell that will be helpful for the in the future.

As always, if anyone has any questions or concerns, please don't hesitate to contact me at any time.

MARCH-APRIL 2019

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Descriptions, continued from page 8

Advanced Applications of the Three Approaches to Value: Instructor - J. Todd Wiley, IAO

This course will review the principles and techniques used by an assessor or appraiser in the preparation of an appraisal utilizing the three approaches to value. Advanced application of the three approaches to value will then be discussed. A commercial property will be selected, and the next four days will encompass the data collection, including a field inspection of the subject property, land valuation, a value determination by The Cost Approach to Value, The Sales Comparison Approach to Value, and the Income Approach to Value. Finally, the value determination derived from the three approaches to value will be reconciled into a final fair market value determination. *4 Days, No Exam*

Valuation of Strip Malls: Instructor - Thomas Donato, IAO

This course is designed to provide students with a complete understanding of strip mall property appraisal and assessment practices. The materials will cover data collection, valuation theories, and techniques of valuing and assessing strip mall properties. All three approaches to value will be discussed, with emphasis placed on the market and income approaches to value. Mass appraisal of strip mall properties will also be discussed. A case study, including an appraisal problem, will be offered. Participants will be expected to bring a calculator and will be asked to determine the fair market value of the case study problem. *2 Days, No Exam*

Gas Station and C-Store Valuation: Instructor - Edye McCarthy, IAO

What is the driving force behind gas station and convenience store valuation? We will discuss a number of considerations and unique issues that may affect assessed value. With this, we will be introducing changes in industry standards, characteristics, and other external factors that may also affect value. At the conclusion of the two-day seminar, each student will understand bifurcating the real estate and business components to determine a market value for property tax purposes. In addition, an in-depth conversation will take place comparing convenience stores with QSRs to determine if this affects value. Throughout the two days, we will inspect a subject property, review, discuss, and determine the best approach to value, albeit either the cost, market, or income approach. There will be a case study to apply all that will be presented. *2 Days, No Exam*

Red Flags to Property Defects & the Effects on Value: Instructor - John Zukowski, IAO

This two-day seminar is designed to bring the assessment and appraisal profession up to speed with property defects and the red flags that identify problems or potential problems. Topics to be discussed include all aspects of residential and commercial defects from site problems, foundation issues, structural and utility and environmental problems, to name a few. Once identified, we will analyze how physical, functional, and external defects can be measured and quantified into a loss in value. Case studies will be utilized so bring your calculator. This seminar is for all levels of assessment and appraisal professionals, entry level to seasoned assessors and appraisers. *2 Days, No Exam*

Amish and other Non-Electric Property Valuation: Instructor - John Zukowski, IAO

In this seminar we explore non-traditional residential and commercial property types. Because of religious reasons or tradition reasons some property types are built without some modern utilities, or do not utilize these when they exist. This often creates a deficiency to the traditional market (Functional Obsolescence) or a (Superadequacy) to the non-traditional purchaser. We will research the concept of value to whom and how these fit in with the market value definition, and within the concept of current use. From there we will explore the three approaches to value. This seminar will wrap up with hands on case study, so bring a calculator. This seminar should be informative to all rural assessors and appraisers. It is an all level class for entry level to advanced. *2 Days, No Exam*

Ethics for the Assessor: Instructor - Teri Ross, IAO

Ethics for the Assessor is being offered to help local assessing officials understand the ethical dilemmas they may run into during the normal course of their workday. You will receive information on the laws that address ethics such as Conflicts of Interest of Municipal Officers and Employees, RPTL Sec. 336, Statement of Disclosure for Assessors, Freedom of Information Laws, and Open Meetings Laws. There will be real life question and answer sessions that will be explored through group discussion. An ethics course is now required for all assessors and county directors that have been elected, appointed, re-elected, or reappointed with in the last year. You will have one year to fulfill this new requirement. *Note – This is a One-Day Seminar.*

Addendum #1 for the Assessor's Office Report**Request for permission to go to:****Cornell Red Flags to property Defects & the Effects on Value**

I am asking for permission to go to the NYSAA Seminar on Appraising held at Cornell. I would like to take the "Red Flags to property Defects & the Effects on Value", a 2 day course. This was not planned and came up recently. Please see the attached below for detailed cost of approximately \$723.90. I added the Mileage here however mileage I do not have this in my budget for this year please see bottom for details.

Cornell 2019 - July 14th - 19th					
		Hotel Room	Breakfast	Lunch	Dinner
14th	Sunday	\$119.95			\$30.00
15th	Monday	\$119.95	\$12.00	\$20.00	\$30.00
16th	Tuesday		\$12.00	\$20.00	
	Totals	\$239.90	\$24.00	\$40.00	\$60.00
	Course Fee	\$260.00	2 - day course		
	Plus mileage	\$100.00			
	Grand total	\$723.90			

Full Cost	\$723.90
50% State Reimbursement	\$361.95
Difference	\$361.95
Mileage	\$100.00
Money left in Ed. Budget	\$240.00
Total over budget	\$21.95

*First training period: April 1 to July 31—50% appropriation
<https://www.tax.ny.gov/research/property/assess/training/reimburse/index.htm>

Addendum #2 for the Assessor's Office Report
May 6, 2019

I am requesting for permission to purchase two (2) computer monitors for my office. These were suggested by the state for our new assessor program (this program has not been released yet). I am also asking permission to order one (1) Dual monitor stand. I have \$600 in my budget for these items. See below for cost as of 5/6/2019:

All from quill (see attached)				
		Cost	Quantity	
Monitor	ViewSonic (24")	132.99	2	265.98
Stand	Free standing	46.99	1	46.99
		Total cost		312.97

Total for all of the above is \$312.97. I may need a longer power cord for my office and that would add about \$10.29.

2. Code Enforcement/Zoning Office Report- May: Code Enforcement Officer Pat Sheridan submitted a report to the Board Members that included a list of building permits and certificates of compliance for April 23, 2019 thru May 21, 2019. Councilman Lambrix invited all to read it at their leisure.

3. Minutes from Zoning Board Meeting from May: Minutes from the Zoning Board Meeting from May 9, 2019 were shared with the board.

4. Minutes from Planning Board Meeting from May: Minutes from the Planning Board Meeting from May 13, 2019 were shared with the board.

5. Bid received for Lawn Cutting Services: Per Chapter 605 Yard Maintenance Code, Code Enforcement is to hire a contractor in the Town of Palmyra for properties in violation of Chapter 605. A bid was received from Warren Frederick to charge a one time fee, per visit, of \$100.00 for grass 12" or lower, and \$150.00 for grass over 12". Approval will be later in meeting.

Informational Items

1. Mike Catalano- EMS Advisory Board: Mr. Catalano reported that everything was status quo, and that no news in this case is good news. He has noticed two ambulance rigs in town at once, at that it seems that the calls have been answered quicker lately. He did not have a report for April as of yet.

2. Letter from Palmyra Community Center: The town received a thank you for its support from the Palmyra Community Center Youth Basketball Program 2018-2019.

3. Palmyra Canal Town Days Parade: The Canal Town Days Committee sent out an invitation to join the parade in September. Who will be marching?? Announcement form needs to be filled out once I am given the information!

Agenda Items

1. Approve: Assessor to Attend Meeting In Cornell: Mike Lambrix made the motion to approve the assessor to attend a meeting in Cornell July 14-19, 2019, not to exceed \$750.00, including lodging, food, and mileage. This is not a budgeted item; however, a portion of this will be refunded by the state.

Second: Todd Pipitone

Vote: 4 Ayes. Carried

2. Approve: Assessor to purchase Computer Equipment: Mike Lambrix made the motion to approve the assessor to purchase a dual monitor stand and 2 – 24" inch monitors not to exceed \$325.00. This is a budgeted purchase.

Second: Todd Pipitone

Vote: 4 Ayes. Carried

3. Approve: Town Clerk to purchase a new computer for the Town Clerks office not to exceed budgeted amount: Brad Cook made the motion to approve the Town Clerk to purchase a new computer for the Town Clerks office not to exceed budgeted amount.

Second: Todd Pipitone

Vote: 4 Ayes. Carried

4. Approve: Grass Cutting Service with Warren Frederick: Mike Lambrix made the motion to approve grass cutting service for the Town of Palmyra for properties in violation of Chapter 605, for a one time fee, per visit, of \$100.00 for grass 12" or lower, and \$150.00 for grass over 12". This will be billed to the town, and added to the property tax bill if unpaid.

Second: Brad Cook

Vote: 4 Ayes. Carried

5. Approve: Approve Budget Modification for Highway as written: Jim Welch made the motion to approve the Budget Modification for Highway as written below:

Second: Mike Lambrix

Vote: 4 Ayes. Carried

DA HIGHWAY FUND

Increase Other Budgetary Purposes:

Acct# 962.03.000.00 Other Budgetary Purposes –
Machine Reserve Amt: \$41,000

Decrease Appropriations:

Acct# 51302.03.000.00 Machinery –
Equipment Amt: \$41,000

6. Approve: Supervisor to sign agreement with Marathon Electric: Brad Cook made the motion to approve the Supervisor to sign a twelve (12) month agreement with Marathon Electric.

Second: Mike Lambrix

Vote: 4 Ayes. Carried

Supervisor Miller added that after his trip to Albany, a Consent Order was being revised by our attorneys, and the new version will be put on June agenda items for approval.

Motion to approve claims and expenditures: Todd Pipitone made the motion to approve claims and expenditures for the month of May 2019, Vouchers #481 thru #557 totaling \$36,838.45

Second: Mike Lambrix

Vote: 4 Ayes. Carried

Adjourn Meeting: At 7:27 PM, Todd Pipitone made the motion to adjourn the meeting.

Second: Jim Welch

Vote: 4 Ayes. Carried

Respectfully submitted,

Irene Unterborn
Town Clerk

Regular Town Board Meeting
Thursday June 27, 2019
7:00 PM - Palmyra Town Hall